

**Town of Lamoine**  
**Application for Variance or**  
**Appeal to the Board of Appeals**

received  
6/12/17

Name of Appellant Don S + Chloe C. Hatcher

Mailing Address 63 Freeman Ridge Rd.

City or Town Southwest Harbor, ME 04679

Telephone (Home) (207) 669-2800 (Work) \_\_\_\_\_

Name(s) of Property Owner Don S. + Chloe C. Hatcher

The undersigned requests that the Board of Appeals consider one of the following:

\_\_\_\_\_ 1. **An Administrative Appeal.** Relief from the decision, or lack of decision, of the Code Enforcement Officer or Planning Board in regard to an application for a permit. The undersigned believes that (check one):

\_\_\_\_\_ an error was made in the denial of the permit

\_\_\_\_\_ the denial of the permit was based on a misinterpretation of the ordinance

\_\_\_\_\_ there has been a failure to approve or deny the permit within a reasonable period of time

\_\_\_\_\_ other \_\_\_\_\_

Please explain in more detail the fact surrounding this appeal (please attach a separate piece of paper). You should be as specific as possible so that the Board of Appeals can give full consideration to your case.

✓ 2. **A Variance.**

a. Nature of Variance: Describe generally the nature of the variance.

Lot 18A, Map 3 We are selling this 19± acre lot and need a variance so that buyer(s) will be allowed to build a house on the area in the middle or back of the

In addition, a sketch plan of the property must accompany this application showing dimensions and shape of the lot, the size and locations of existing buildings, the locations lot near the shore (w/ code conformance). This road frontage is 161± ft. which would be used for driveway access to the back portions of the lot. →

See Allen-Bowden survey-

- 1) This survey was only done to indicate original 2 acres. The buyers wanted an additional 0.8 acres which we sold them. Their deed should have the 2.8 acres stated.
- 2) I have contacted (Allen-Bowden) to get the distance of the road frontage of the 2.8 acres but it is blurred out. Once I get that figure I will forward it to your board. The dashed line for the 0.8 acre were drawn by me, but the survey pins are in place and easily visible.
- 3) The Map 3 Town Map, I also drew in approximate 2.8 acres representing what was purchased.

and dimensions of proposed buildings, or alterations, and any natural or topographic peculiarities of the lot in question.

- b. Justification of Variance: In order for a variance to be granted, the appellant must demonstrate to the Board of Appeals that the strict application of the terms of the zoning ordinance would cause undue hardship. There are four criteria which must be met before the BOA can find that a hardship exists. Please explain how your situation meets each of these criteria listed below:

1. The land in question cannot yield a reasonable return unless the variance is granted. *We would not be able to sell 19± acre lot if a house cannot be built on it away from road frontage area.*
2. The need for a variance is due to the unique circumstances of the property and not to the general conditions of the neighborhood. *The 161± road frontage would be used to put in a driveway (code conformed) to access the back area of lot.*
3. The granting of a variance will not alter the essential character of the locality. *Driveway would not impose on required distance needed for the 2 neighboring properties.*
4. The hardship is not the result of action taken by the appellant or a prior owner. *Owners did not know that road frontage of 200 ft. would be necessary to put in a driveway to access back areas of the lot.*

I certify that the information contained in this application and its supplement is true and correct.

Date: 6/12/2017

Don S. Hatcher  
(Appellant's Signature)

Note to Appellant: This form should be returned to the Chairman of the Board of Appeals. You will be notified of the date, time and location of the hearing on your appeal.



JORDA

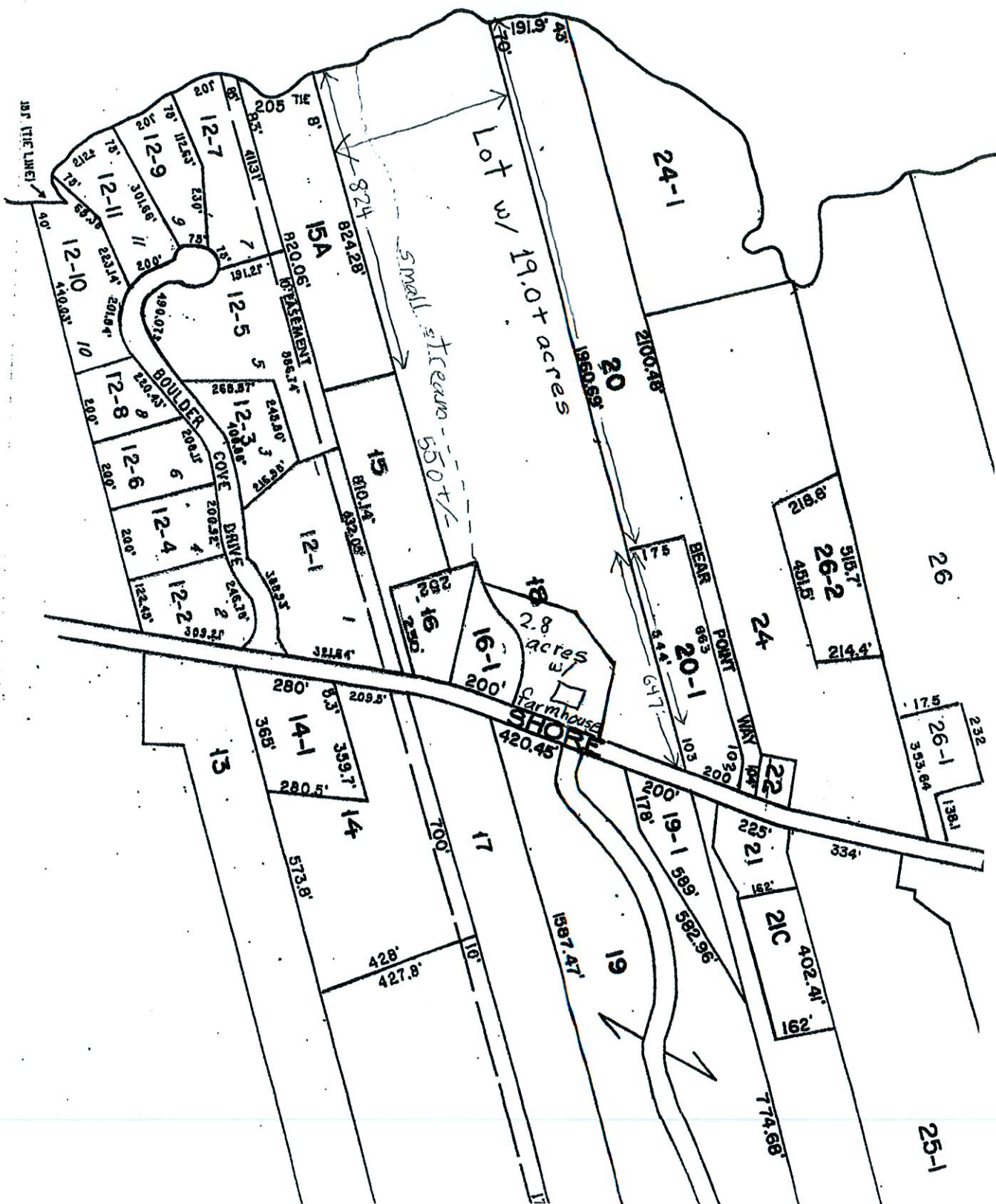
Map 3

# LEGEND

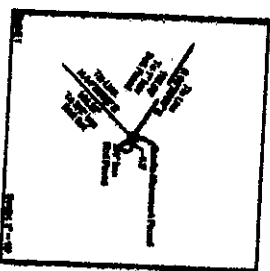
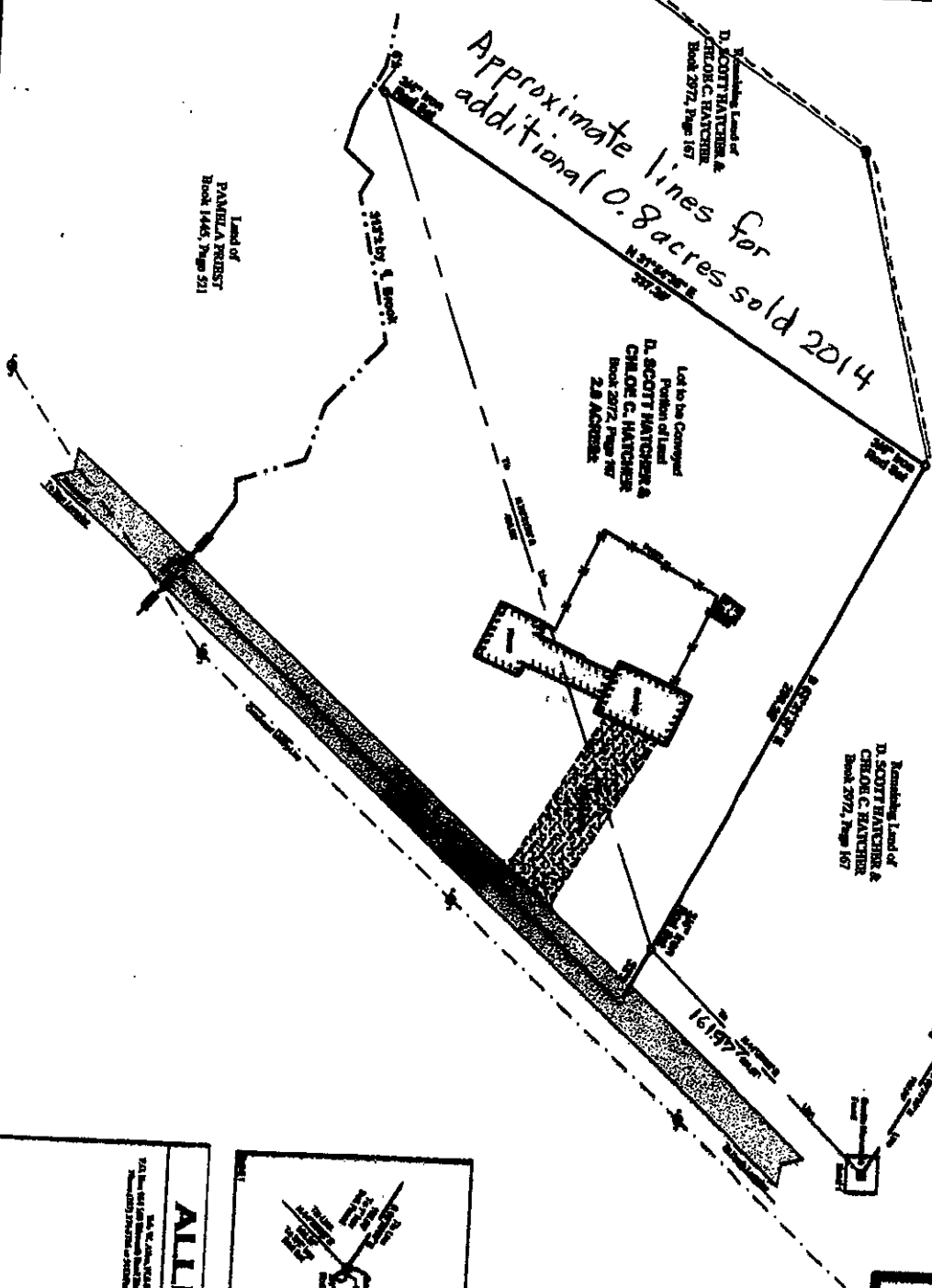
NUMBERS

1

For Assessment Purposes  
to be used for Conveyances



NOTE:  
 Boundary shown herein are intended in accordance with the description contained  
 in Book 2972, Page 167 recorded in the Hancock County Registry of Deeds.  
 All Book and Page numbers refer to Hancock County Registry of Deeds.  
 All 34" Iron Rods are set and stamped Allen-Bowden P.A. 2007.  
 Subject parcel is shown on Lamorne Tax Map 3 Section of 10.1 B.



**ALLEN-BOWDEN, INC.**

Plan of Boundary Survey for:  
**D. SCOTT & CHLOE C.  
 HATCHER**

State Road  
 Lamorne, Maine

Scale: 1" = 40'